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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/604,199	06/27/2000	Robert H. Joyce	002950.P053	4800

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EXAMINER

JACOBS, LASHONDA T

ART UNIT	PAPER NUMBER
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2157

6

DATE MAILED: 12/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/604,199

Applicant(s)

JOYCE ET AL.

Examiner

LaShonda T. Jacobs

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on September 22, 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13-22, 24-42 and 44-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-22, 24-42 and 44-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This is a Office Action in response to Applicant's amendment and request for reconsideration file on September 22, 2003. Claims 12, 23, and 43 have been cancelled. Claims 1-11, 13-22, 24-42 and 44-52 are presented for further examination.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1-11, 13-22, 24-42** and **44-52** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickering et al (hereinafter, "Pickering", 6,493,695) in view of Shtivelman and in further view of McAtee et al (hereinafter, "McAtee", 5,301,320).

As per claims **1** and **32**, Pickering discloses a method and machine-readable medium comprising:

- receiving a plurality of task data indicating a plurality of tasks and a plurality of agent data indicating a plurality of agents (col.1, lines 19-44, col. 3, lines 1-20 col. 4, lines 66-67, and col. 5, lines 1-29); and
- storing the task data and the agent data in a database system (col. 7, lines 32-44, and col. 8, lines 46-67).

However, Pickering does not explicitly disclose:

- assigning respective tasks of the plurality of tasks to at least one of the agents according to workflows.

In an analogous art, Shtivelman discloses a software routine for a multimedia-capable call center that checks for active status of communications with clients via a computer station available to an agent to determine if the agent is busy/available according to their uncompleted tasks to find the best fit agent (abstract, col. 3, lines 12-26, lines 47-67, col. 4, lines 1-7, and col. 6, lines 39-56). Therefore, Shtivelman implicitly discloses assigning respective tasks of the plurality of tasks to at least one of the agents according to workflows.

Given the teaching of Shtivelman, it would have been obvious to one of ordinary skill in the art to modify Pickering by including a software routine for a call center in order to determine if an agent is busy/available according to their uncompleted tasks allowing the customer to be routed to next available agent without having to wait.

While the combined system of Pickering and Shtivelman, substantially discloses assigning respective tasks of the plurality of tasks to at least one of the agents according to workflows, it does not explicitly disclose wherein the workflows are user definable. Nonetheless, wherein the workflows are user definable is well known in the art as evidenced by McAtee.

In similar art, McAtee discloses wherein the workflows are user definable (col. 2, lines 33-42, lines 66-68 and col. 3, lines 1-18).

Given the teaching of McAtee, it would have been obvious to one of ordinary skill in the art to modify the combined system of Pickering and Shtivelman, by employing the well-known or conventional feature of wherein the workflows are user definable allowing the designer/user to

alter the order and relationships among the tasks without reconfiguring the entire workflow system.

As per claims 2 and 33, Pickering discloses wherein the receiving comprises:

- receiving the task data from a plurality of sources (col. 1, lines 19-44, and col. 5, lines 3-9).

As per claims 3 and 34, Pickering discloses wherein the plurality of sources comprises:

- heterogeneous media switches (col. 1, lines 19-44, and col. 5, lines 3-9).

As per claims 5 and 36, Pickering discloses wherein the receiving of the plurality of agent data comprises:

- receiving status messages from the plurality of agents (col. 7, lines 32-44, and col. 8, lines 2-10).

As per claims 6 and 37, Pickering discloses the invention substantially as claimed.

However, Pickering does not explicitly disclose:

- wherein the status messages designate either busy or available.

In an analogous art, Shtivelman discloses a software routine for a multimedia-capable call center that checks for active status of communications with clients via a computer station available to an agent to determine if the agent is busy/available according to their uncompleted tasks to find the best fit agent (abstract, col. 3, lines 12-39, lines 47-67, col. 4, lines 1-7, and col. 6, lines 39-56). Therefore, Shtivelman discloses wherein the status messages designate either busy or available.

Given the teaching of Shtivelman, it would have been obvious to one of ordinary skill in the art to modify Pickering by including a software routine for a call center in order to determine if

an agent is busy/available according to their uncompleted tasks allowing the customers to be notified the status of the agents at the call center.

As per claims 7 and 38, Pickering discloses:

- wherein the status messages provide an agent availability data (col. 7, lines 32-44, and col. 8, lines 2-10).

As per claims 8 and 39, Pickering discloses the invention substantially as claimed.

However, Pickering does not explicitly disclose wherein the agent availability data comprises any one of the group including: whether the agent is busy, is available, accepts a first type of task, declines a second type of task, multi-tasks, or accepts a task upon a system overloaded condition.

In an analogous art, Shtivelman discloses a software routine for a multimedia-capable call center that checks for active status of communications with clients via a computer station available to an agent to determine if the agent is busy/available according to their uncompleted tasks to find the best fit agent (abstract, col. 3, lines 12-39, lines 47-67, col. 4, lines 1-7, and col. 6, lines 39-56). Therefore, Shtivelman discloses wherein the status messages designate either busy or available.

Given the teaching of Shtivelman, it would have been obvious to one of ordinary skill in the art to modify Pickering by including a software routine for a call center in order to determine if an agent is busy/available according to their uncompleted tasks allowing the customers to be notified the status of the agents at the call center.

As per claims 9 and 40, Pickering discloses the invention substantially as claimed.

However, Pickering does not explicitly disclose:

- wherein the system overloaded condition is workflow defined.

In an analogous art, Shtivelman discloses a software routine for a multimedia-capable call center that checks for active status of communications with clients via a computer station available to an agent to determine if the agent is busy/available according to their uncompleted tasks to find the best fit agent (abstract, col. 3, lines 12-39, lines 47-67, col. 4, lines 1-7, and col. 6, lines 39-56). Therefore, Shtivelman implicitly discloses wherein the system overloaded condition is workflow defined.

Given the teaching of Shtivelman, it would have been obvious to one of ordinary skill in the art to modify Pickering by including a software routine for a call center in order to determine if an agent is busy/available according to their uncompleted tasks allowing the customers to be routed to the next available agent.

As per claims **10** and **41**, Pickering discloses:

- at least one volatile memory database and at least one writable medium database (col.11, lines 50-67).

As per claims **11** and **42**, Pickering discloses:

- wherein the volatile memory database and the writable medium database are synchronized (col.7, lines 18-44).

As per claims **13** and **44**, Pickering discloses the invention substantially as claimed.

However, Pickering does not explicitly discloses wherein the assigning comprises:

- executing a task queued workflow responsive to receiving the task data; and
- executing an agent availability workflow responsive to receiving the agent data.

In an analogous art, Shtivelman discloses a software routine for a multimedia-capable call center that checks for active status of communications with clients via a computer station available to an agent to determine if the agent is busy/available according to their uncompleted tasks to find the best fit agent (abstract, col. 3, lines 12-39, lines 47-67, col. 4, lines 1-7, and col. 6, lines 39-56). Therefore, Shtivelman discloses executing a task queued workflow responsive to receiving the task data and executing an agent availability workflow responsive to receiving the agent data.

Given the teaching of Shtivelman, it would have been obvious to one of ordinary skill in the art to modify Pickering by including a software routine for a call center in order to determine if an agent is busy/available according to their uncompleted tasks allowing the customers to be routed to the next available agent.

As per claims **14** and **45**, Pickering discloses wherein the executing the task queued workflow comprises:

- storing the task data as a task entry in the database system (col. 7, lines 32-44, and col. 8, lines 46-67);
- identifying a first agent of the plurality of agents to handle a first task of the plurality of tasks (col.7, lines 49-63); and
- assigning the first agent the first task (col. 7, lines 49-63).

As per claims **15** and **46**, Pickering discloses wherein the identifying comprises:

- searching the database system for an agent entry meeting defined criteria (col.7, lines 18-44).

As per claims **18** and **49**, Pickering discloses wherein the executing of the agent availability workflow comprises:

- storing the agent data as an agent entry in the database system (col. 7, lines 32-44, and col. 8, lines 46-67);
- identifying a first task of the plurality of tasks to be handle by a first agent of the plurality of agents (col. 7, lines 49-63); and
- assigning the first task to the first agent (col. 7, lines 49-63).

As per claims **19** and **50**, Pickering discloses wherein the identifying comprises:

- searching the database system for a task entry meeting defined criteria (col.8, lines 46-67).

As per claims **16**, **20**, **47**, and **51**, Pickering discloses wherein the assigning comprises:

- notifying the first agent to handle the first task (col.7, lines 49-60); and
- receiving a response from the first agent either accepting or declining the first task (col.8, lines 46-67); and
- if the first agent accepts the first task, updating the database system (col.8, lines 46-67).

As per claims **17**, **21**, **48**, and **52**, Pickering discloses wherein the updating of the database system comprises:

- modifying the task entry and the agent entry (col.8, lines 60-67).

As per claim **22**, Pickering discloses a system comprising:

- a blending engine coupled to a plurality of media switches such that the blending engine receives a plurality of task data from the plurality of media switches (col.7, lines 12-44); and

- a plurality of agent workstations coupled to the blending engine such that the agent workstations provide a plurality of agent data to the blending engine, and the blending engine provides a plurality of task assignments to the agent workstations (col.7, lines 12-44).
- a blending database coupled to the blending engine such that the blending engine and the blending database exchange the agent data and the task data (col.7, lines 12-44); and
- a workflow manager coupled to the blending database and the blending engine such that the workflow manager: access the blending database, executes workflows, and communicates the task assignments to the blending engine (col.7, lines 12-44).

However, Pickering does not explicitly disclose:

- wherein the workflows are user definable.

In similar art, McAtee discloses wherein the workflows are user definable (col. 2, lines 33-42, lines 66-68 and col. 3, lines 1-18).

Given the teaching of McAtee, it would have been obvious to one of ordinary skill in the art to modify Pickering, by employing the well-known or conventional feature of wherein the workflows are user definable allowing the designer/user to alter the order and relationships among the tasks without reconfiguring the entire workflow system.

As per claim **24**, Pickering discloses:

- each media switch comprises an adapter coupled to a media specific queue (col.1, lines 53-67, and col. 2, lines 1-7); and
- each media specific queue is coupled to the blending engine (col.7, lines 12-44).

As per claims **4**, **25**, and **35**, Pickering discloses:

- wherein each of the heterogeneous media switches is from a group consisting of electronic mail systems, internet live text systems, internet voice transmission systems, telephonic voice systems, telephonic facsimile systems, and voice mail systems (col. 1, lines 19-44, and col. 5, lines 3-9).

As per claim **26**, Pickering discloses:

- each agent workstation comprises a desktop helper (col.5, lines 52-67, and col. 10, lines 47-53); and
- each desktop helper is coupled to the blending engine via a blending engine queue (col. 7, lines 12-44).

As per claim **27**, Pickering discloses wherein the blending database comprises:

- at least one volatile memory database synchronized with at least one writable medium database (col.11, lines 50-67).

As per claim **28**, Pickering discloses:

- wherein the blending database stores a plurality of task entries and a plurality of agent entries.

As per claim **29**, Pickering discloses:

- wherein the volatile memory database is a superset of the writable medium database (col.11, lines 50-67).

As per claim **30**, Pickering discloses:

- wherein the volatile memory database stores a blending engine queue data and a plurality of media specific queue data (col.11, lines 50-67).

As per claim **31**, Pickering discloses wherein to accesses the blending database comprises:

- reading the task entries and the agent entries (col. 8, lines 60-67).

Response to Arguments

3. Applicant's arguments with respect to claims 1-11, 13-22, 24-42 and 44-52 have been considered but are moot in view of the new ground(s) of rejection.

a. Claim 1 requires a method whereby a workflow is user definable. Merely for example, a system manager may utilize a workflow client to amend existing workflow and/or add a new workflow. In contrast, the above quote from Pickering (col. 7, lines 40-49) does not describe a workflow that is user definable; but rather, a rule that is predetermined or customizable.

Pickering may be said to teach away from a workflow that is user definable because Pickering discloses a rule in the form of an "if, then" statement thereby suggesting that a programmer is required because programming abilities are required. The above quote from Pickering therefore cannot be said to anticipate claim 1 because Pickering discloses a rule that is predetermined or customizable without indicating who may customize the rule and claim 1 requires a workflow that is user definable.

b. Pickering in combination with Shtivelman does not teach or suggest each and every limitation of claims 1-52 as required to support rejections of the independent claims of the present application under 35 USC § 103.

In considering (a)-(b), Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,389,132 to Price

U.S. Pat. No. 6,442,592 to Alumbaugh et al

U.S. Pat. No. 6,539,419 to Beck et al

U.S. Pat. No. 5,311,574


Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 703-305-7494. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-308-7562. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

LaShonda T. Jacobs
Examiner
Art Unit 2157

ltj
December 3, 2003


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